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# State of Florida Division of Administrative Hearings: Respondent, University of North Florida First Interrogatories to Petitioner

Marcia P. Parker

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STATE OF FLORIDA  
DIVISION OF ADMINISTRATIVE HEARINGS

CATHLENE DENNY,

Petitioner,

vs.

DOAH Case No. 90-003233  
SJRWMD Case No. 90-016B

ST. JOHNS RIVER WATER  
MANAGEMENT DISTRICT AND  
THE UNIVERSITY OF NORTH  
FLORIDA,

Respondents.

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RESPONDENT, UNIVERSITY OF NORTH FLORIDA  
FIRST INTERROGATORIES TO PETITIONER

The University of North Florida, through the undersigned attorneys, and pursuant to 22I-6.019, Florida Administrative Code, and 1.340, Florida Rules of Civil Procedure, requests Cathlene Denny to answer under oath and in writing, within the applicable time limits, the following interrogatories:

I. DEFINITIONS

The following definitions apply to these interrogatories:

(a) The words "you" or "your" means Cathlene Denny, and all officers, directors, agents, employees or other persons or entities related to Cathlene Denny, or acting on the behalf of Cathlene Denny during the relevant period.

(b) The words "document" or "documents" includes, without limiting the generality of the foregoing, correspondence, agreements, memoranda, calendar and diary entries, memoranda of conversations and of meetings, telephone notes, studies, reports, offers, inquiries, bulletines, brochures, summaries, newsletters, compilations, maps, charts, graphs, photographs, film, slides, microfilm, articles, announcements, books, books of account, ledgers, vouchers, cancelled checks, invoices, bills, opinions, certificates, and all other tangible things upon which any handwriting, typing, printing, drawings, representation, magnetic or electrical impulses, or other form of communication is recorded including audio and video recordings and computer stored information.

(c) The words "person" or "persons" means all natural persons ("individual" or "individuals") and entities, including

without limitation: corporations, companies, partnerships, limited partnerships, joint ventures, trusts, estates, associations, public agencies, departments, bureaus and boards.

(d) "Communication" means every manner or means of disclosure, transfer or exchange, and every disclosure, transfer or exchange of information whether orally or face-to-face, or by telephone, mail, personal delivery, document, or otherwise.

(e) "Or" shall be construed either conjunctively or disjunctively to bring within the scope of these requests any information which might otherwise be construed to be outside their scope.

(f) "Identify", when used in reference to an individual PERSON, means to state his full name, present address or last known address, telephone number, if known, and his present employment position and business affiliation. "Identify", when used in reference to a DOCUMENT means to state the date of its execution, or if undated, the date it was prepared, the author, the addressee, the type of document, or any other means of identifying it with sufficient particularity to meet the requirements for inclusion in a request for production of documents, pursuant to Rule 1.350, Florida Rules of Civil Procedure. If any such document was, but is no longer, in your possession or subject to your control, state what disposition was made of it and the reason for its disposition. In lieu of identifying any document, a true and correct copy thereof may be annexed to and incorporated in the answers to these interrogatories.

(g) "Proposed activity" means the road construction on the campus of the University of North Florida as described in materials submitted in application for Management and Storage of Surface Waters ("MSSW") permit no. 4-031-0359AG.

## INTERROGATORIES

1. Identify each person which the Petitioner expects to call as an expert witness of the hearing in this matter and as to each expert witness:

- (a) State the expert's expertise and qualifications.
  
  
  
  
  
  
  
  
  
  
- (b) State the subject matter(s) on which the expert is expected to testify.
  
  
  
  
  
  
  
  
  
  
- (c) State the substance of the facts and opinions to which the expert is expected to testify and a summary of the grounds for each such opinion.
  
  
  
  
  
  
  
  
  
  
- (d) Identify all documents prepared by, revised by, submitted to or by, or relied upon by the expert in formulating his or her opinion.

2. Identify each person who has personal knowledge of the facts supporting the allegations in the Amended Petition.

3. State every fact and identify every document which supports or tends to support the Petitioner's allegation in the Amended Petition that the proposed activity fails to meet the requirements and criteria for granting of a permit as set forth in Rule 40C-4.301(1)(a), Florida Administrative Code.

4. State every fact and identify every document which supports or tends to support the Petitioner's allegation in the Amended Petition that the proposed activity fails to meet the requirements and criteria for granting of a permit as set forth in Chapter 17-40.070, Department of Environmental Regulation State Water Policy.

5. State every fact and identify every document which supports or tends to support the Petitioner's allegation in the Amended Petition that the proposed activity would be inconsistent with the overall objectives of the District in violation of the Water Management District MSSW Criteria 8.3.



6. State every fact and identify every document which supports or tends to support the Petitioner's allegation in the Amended Petition that the proposed activity would be harmful to the water resources of the District in violation of the Water Management District MSSW Criteria 8.3.

7. State every fact and identify every document which supports or tends to support the Petitioner's allegation in the Amended Petition that the proposed activity violates the Water Management District MSSW Criteria 8.4. Specifically include in the answer:

(a) Describe in detail any adverse effect on current and future recreational use of public lands.

(b) Describe in detail any increased potential for damages to off-site waters or property or the public, caused by retardance, acceleration, displacement, or diversion of surface water.

8. State every fact and identify every document which supports or tends to support the Petitioner's allegation in the Amended Petition that the proposed activity violates the Water Management District MSSW Criteria 9.1.

9. State every fact and identify every document which supports or tends to support the Petitioner's allegation in the Amended Petition that the proposed activity violates the Water Management District MSSW Criteria 10.1. Specifically describe in detail any adverse impact the proposed activity will have to the quality of receiving waters.

10. State every fact and identify every document which supports or tends to support the Petitioner's allegation in the Amended Petition that the proposed activity violates the Water Management District MSSW Criteria 10.2.

11. State every fact and identify every document which supports or tends to support the Petitioner's allegation in the Amended Petition that the proposed activity violates the Water Management District MSSW Criteria 10.3.1. Specifically describe in detail how the proposed activity will cause post-development peak rate of discharge to exceed the pre-development peak rate of discharge.

12. State every fact and identify every document which supports or tends to support the Petitioner's allegation in the Amended Petition that the proposed activity violates the Water Management District MSSW Criteria 10.7.4. Specifically include in the answer:

- (a) Describe in detail any adverse effect the proposed activity will have on the natural resources, fish and wildlife.
  
  
  
  
  
  
  
  
  
  
- (b) Describe in detail and specifically identify any specific threatened/endangered species whose habitat and food sources will directly or indirectly be impacted by the proposed activity.

13. State every fact and identify every document which supports or tends to support the Petitioner's allegation in the Amended Petition that the proposed activity otherwise fails to meet the standards or criteria set forth in Rule 40C-4, Florida Administrative Code.



ROGERS, TOWERS, BAILEY, JONES & GAY

By: 

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Florida Bar No. 372013  
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(904) 398-3911

ATTORNEYS FOR RESPONDENT,  
UNIVERSITY OF NORTH FLORIDA

STATE OF FLORIDA           §  
                                  §  
COUNTY OF \_\_\_\_\_ §

BEFORE ME, the undersigned authority, personally appeared CATHLENE DENNY, to me well known, who being first duly sworn by me deposes and says that she is the Petitioner in the above-styled cause, and that she has read the foregoing Interrogatories and knows the contents thereof, and that the answers thereto are true and correct.

\_\_\_\_\_  
CATHLENE DENNY

SWORN TO AND SUBSCRIBED before me in the State and County of the aforesaid this \_\_\_\_ day of \_\_\_\_\_, 1990.

\_\_\_\_\_  
NOTARY PUBLIC  
STATE OF FLORIDA AT LARGE

(SEAL)

My Commission Expires:  
\_\_\_\_\_

Certificate of Service of Answers  
to Interrogatories

I hereby certify that the original of the foregoing Answers to The University of North Florida First Interrogatories has been served upon MARCIA P. PARKER, ESQUIRE, Rogers, Towers, Bailey, Jones & Gay, 1300 Gulf Life Drive, Suite 800, Jacksonville, FL 32207, by U.S. Mail on this the \_\_\_\_ day of \_\_\_\_\_, 1990.

\_\_\_\_\_  
Party's Signature

Certificate of Service of  
University of North Florida's First Interrogatories

I hereby certify that the original and one copy of the foregoing has been furnished to Cathlene Denny, [REDACTED] [REDACTED] [REDACTED] [REDACTED] by U. S. Mail, this 10<sup>th</sup> day of June, 1990.

[REDACTED]  
\_\_\_\_\_  
Attorney